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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

AUG 26 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
1998 Biennial Regulatory Review --) GEN Docket No. 98-68
Amendment of Parts 2, 25 and 68 of the)
Commission's Rules to Further Streamline)
The Equipment Authorization Process for)
Radio Frequency Equipment, Modify the)
Equipment Authorization Process for)
Telephone Terminal Equipment, Implement)
Mutual Recognition Agreements and Begin)
Implementation of the Global Mobile Personal)
Communications by Satellite (GMPCS))
Arrangements)

REPLY COMMENTS OF BELL SOUTH

BellSouth Corporation, on behalf of itself and its subsidiaries, hereby replies to the Comments in the captioned proceeding pursuant to the Public Notice, FCC 98-92, released May 18, 1998, and the Order Granting Extension of Time, DA 98-1527, released August 4, 1998.

BellSouth applauds the Commission for proposing meaningful steps to reduce unnecessary regulation in furtherance of the pro-competitive, deregulatory intent of the Telecommunications Act of 1996. Section 11 of the Act requires the Commission to review biennially all regulations applicable to providers of telecommunications services, and to modify or repeal any regulation no longer necessary in the public interest. 47 U.S.C. § 161(b). The Public Notice evidences a strong commitment on the part of the Commission to this process in the area of equipment authorization.

The Public Notice recognizes the balancing that is necessary if the Commission is to reduce unnecessary regulation while, at the same time, strengthening the enforcement

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of rules designed to prevent harmful interference. For example, the Public Notice recognizes that one of the benefits of authorizing private “Telecommunications Certification Bodies” would be to enable the Commission “to redirect resources to enforcement of the rules.”¹

Many commenting parties stress the importance of enforcement of the rules against harmful interference. For example, the Soaring Society of America highlights the danger to flight safety posed by harmful interference with satellite navigation signals.² ACIL cites the dangers of unscrupulous manufacturers and testing labs bypassing the testing and labeling compliance requirements of the Commission’s Rules.³ Metricom notes that “just one instance of non-complying equipment could conceivably cause harmful interference to Metricom’s operations throughout an entire metropolitan area.”⁴

Because of the threat to public safety and the business operations of others, many commenters call on the Commission to step up enforcement of its rules regarding harmful interference to radio frequency equipment, satellite communications and terminal equipment.⁵ BellSouth joins the commenting parties who commend Commissioner Susan Ness for her separate statement to the *Report and Order* in ET Docket 97-94 calling for the reallocation of resources freed up due to eliminating unnecessary regulation to enforcement of the rules against harmful interference.⁶

¹ Public Notice, ¶ 11.

² Soaring Society of America, Inc. at 1.

³ ACIL at 9-10.

⁴ Metricom, Inc. at 3.

⁵ ACIL at 8; Communication Certification Laboratory at 6-7; Curtis-Straus at 2; Intertek Testing Services at 9-10; Metricom at 10.

⁶ Streamline the Equipment Authorization Process for Radio Frequency Equipment, ET Docket No. 97-94, *Report and Order*, FCC 98-58, released April 16, 1998, 63 Fed. Reg. 36591 (July 7, 1998), Separate Statement of Commissioner Susan Ness.

In addition to the resources freed up through the initiatives proposed in this proceeding, BellSouth has proposed reduced regulation in other areas that could also free up Commission resources for enforcement of the rules against harmful interference. For example, BellSouth has recently identified opportunities to reduce or streamline regulation in the biennial reviews of the Commission's accounting and cost allocation rules⁷ and ARMIS reporting requirements.⁸ The Commission now devotes substantial staff resources to implementing accounting, cost allocation and ARMIS reporting requirements that serve no useful purpose when applied to price cap local exchange carriers. BellSouth, the United States Telephone Association, and other large local exchange carriers have identified specific changes to these rules that, if adopted, would free up substantial Commission staff resources that could then be redeployed to enforcement of the Rules against harmful interference. BellSouth urges the Commission to move aggressively in this and other biennial review proceedings to reduce unnecessary regulation and to redeploy the staff resources freed up thereby to areas where active regulation is still necessary to protect the public interest.

Respectfully submitted,

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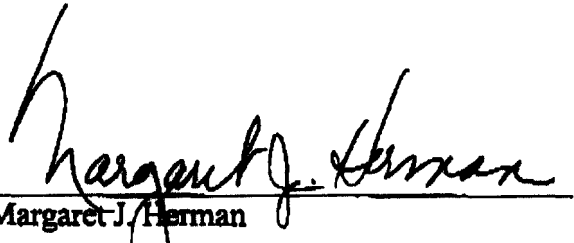
August 26, 1998

⁷ In the Matter of 1998 Biennial Regulatory Review of Accounting and Cost Allocation Requirements, CC Docket No. 98-81, United States Telephone Association Petition for Rulemaking, ASD File No. 98-64, Comments of BellSouth filed July 17, 1998.

⁸ In the Matter of 1998 Biennial Regulatory Review of ARMIS Reporting Requirements, CC Docket No. 98-117, Comments of BellSouth filed August 20, 1998.

CERTIFICATE OF SERVICE

I hereby certify that I have this 26th day of August, 1998, served all parties to this action with a copy of the foregoing REPLY COMMENTS by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties listed on the attached service list.


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